

## **Egremont Board of Health/Straher Hearing**

**June 10, 2021, 10:00 am**

**Held via Zoon**

**Members Present:** Charles Ogden, Chair, Dr. William Rose, Ellen Maggio

**Also Present for Portion of Meeting:** Genis Melendez Delany, Cheryl Congdon, Joyce Frater, Mark Roggen, Michael Straher, Attorney Katherine McCormick, Attorney Paul Feldman

**Recording:** Juliette Haas, Director

- 1) Chairman Ogden called the meeting to order at 10:00 am. It was immediately noticed that Chairman Ogden's internet reception was very poor. He would repeatedly lose reception and have to manually rejoin the meeting. Chairman Ogden noted the presence of a quorum and noted the meeting was being recorded per the town Zoom meeting protocols. The minutes from the May 27, 2021 meeting were adopted (3-0 in favor) with a minor correction.
- 2) **John Andrews new septic system** Upon further review the board approved the septic plans presented by Berkshire Engineering for an upgraded system. Motion made and seconded to approve the requested Local Upgrade Approval (LUA) of a two foot separation to groundwater under maximum feasible compliance. Vote taken: 3-0 in favor. Director Haas will issue a pre-approval letter and forward the plans to the Conservation Commission for their review.
- 3) **Camp Inspections** Blue Rider Stables is being inspected today. Based on the outcome of that inspection they hope to start the camp sessions on Monday June 14<sup>th</sup>.
- 4) **STRAHER/DAVENPORT HEARING** Chairman Ogden opened the hearing at 10:15 am. The hearing was at the request of the property owner and the Order to Demolish. The Chairman stated that Mr. Straher's representatives will have 15 minutes for their presentation, members of the community will have 10 minutes, and the BOH will have the final 5 minutes of a 30 minute hearing. Attorney Paul Feldman, representing Mr. Straher, stated his client is reluctant to demolish the structure as he wishes to preserve the rights of the structure's preexisting non-conforming status. Attorney Feldman shared recent photos of the structure showing a new metal roof which was installed earlier in the week. With the new roof Attorney Feldman stated the structure is no longer open to the elements. He suggested the BOH modify the Order to Demolish to state the structure is not fit for human habitation. Attorney Feldman also requested that he be allowed to get in touch with the town's attorney to figure out a solution where the structure's removal preserves and does not influence its preexisting status. EBOH Director Haas stated the replacement of the roof does not address the structure's openings to the elements where the exterior siding meets the ground. As to revising the Order to state it is unfit for habitation, the structure has no interior water, plumbing or septic system and therefore doesn't meet the Housing Code. A letter submitted and signed by eight residents of the community was read into the record. Genis Melendez (abutter) and Mark Roggen (area resident) commented on the many years the building has been deteriorating and the negative effect the structure is having on the neighbors.

Due to Chairman Ogden's poor internet reception there was confusion as to whether the hearing was closed or recessed at 10:45 am. Director Haas stated she will reach out to Town Counsel. The board did go on record as saying the issue will be taken up again at the next meeting on Thursday June 17<sup>th</sup> at 10:00 am.

- 5) The meeting adjourned at 11:25 am.

*Juliette S. Haas*  
*Approved*  
*6/17/2021*